

## **REMARKS**

Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the amendments and discussion that follows. Claims 1-26 are pending in this application.

### **Claim Rejections – 35 U.S.C. § 102**

Claim 26 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 6,721,416 to Farrell. In response, claim 26 has been further limited to “providing a plurality of auxiliary scripts”. Support for this limitation may be found within the specification at page 5, lines 6-20.

Claim 26 has also been further limited to “selecting an expected customer response of the plurality of expected customer responses when the selected expected customer response substantially matches the evaluated key words; selecting a script associated with the selected expected customer response of the plurality of auxiliary scripts when the key words substantially match the selected expected customer response”. Support for this limitation may be found within the specification at page 8, lines 22-27.

Claim 26 has also been further limited to “selecting a script of the plurality of auxiliary scripts when the key words do not substantially match any of the plurality of expected customer responses based upon an objective difference value between keywords of the first portion of the threaded conversation and the selected script; presenting the selected script to the customer”. Support for this limitation may be found at numerous locations within the specification (e.g.: page 8, line 28 to page 9, line 4; page 10, lines 1-6, page 12, lines 5-11, etc.).

Claim 26 has also been further limited to “pacing the presentation of the presented script based upon a perceived receptiveness of the customer”. Support for this limitation may be found within the specification at page 10, lines 7-14.

Claim 26 has been limited to “providing a plurality of auxiliary scripts”. In contrast, Farrell is directed to a “word table 64 . . . having four fields . . . The first field contains the text of the confrontational statement or phrase. The second field contains the text of a non-confrontational alternative . . . The third field contains the text of a non-confrontational counter phrase” and “A counter statement . . . the system suggests if it

detects that the caller has made a confrontational statement” (Farrell, col. 4, lines 41-62). Since Farrell merely suggests non-confrontational counter phrases, Farrell fails to provide any teaching with regard to threaded conversations.

Claim 26 has also been limited to a two-step script selection method. Under a first step a script associated with an expected customer response is selected based upon a substantial match between evaluated key words of a customer response and the content of the expected customer response. If a match is not found, then a script is selected based upon an objective difference value. Farrel fails to provide any teaching regarding the two-step process described and claimed in claim 26.

Claim 26 is also limited to pacing the script based upon customer receptiveness. Farrell also fails to provide any teaching in this regard.

Since Farrell fails to teach of any of these particular claim elements, Farrell does not do the same or any similar thing as that of the claimed invention. Since Farrell does not do the same or any similar thing as that of the claimed invention, the rejections are now improper and should be withdrawn.

### **Claim Rejections – 35 U.S.C. §103**

Claims 1-2, 8-12, 18-21 and 25 have been rejected under 35 U.S.C. § 103(a) as being obvious over Farrell in view of U.S. Pat. No. 6,102,970 to Kneipp. After a careful review of the claims, and in view of the amendments to the claims, the rejections are therefore traversed and allowance of the claims is respectfully requested.

Claims 1, 11 and 21 have been further limited to “comparing the information content of the evaluated words with an information content of a plurality of expected customer responses and selecting an expected customer response of the plurality of expected customer responses when the key words substantially match the selected expected customer response; following a script of the plurality of scripts associated with the selected expected customer response of the customer as a second concatenated portion of the presented script of the predetermined storyline when the keywords substantially match the selected expected customer response; and when key words do not substantially match any of the plurality of expected customer responses, then selecting a

script of the plurality of scripts as a second, concatenated portion of the presented script of the predetermine storyline based upon an objective difference value between keywords of the first portion of the threaded conversation and the selected script”. Support for the additional limitations may be found at numerous locations within the specification (e.g.: page 7, line 32 to page 9, line 4; page 10, lines 1-6, page 12, lines 5-11, etc.).

In contrast, Farrell is directed to a “word table 64 . . . having four fields . . . The first field contains the text of the confrontational statement or phrase. The second field contains the text of a non-confrontational alternative . . . The third field contains the text of a non-confrontational counter phrase” and “A counter statement . . . the system suggests if it detects that the caller has made a confrontational statement” (Farrell, col. 4, lines 41-62). Since Farrell merely suggests non-confrontational counter phrases, Farrell fails to provide any teaching or suggestion regarding storylines, the concatenation of scripts to form a predetermined storyline or a two-step process for identifying script.

Turning now to Kneipp, rather than using a two-step script selection process, Kneipp uses a single step process with a supervisor backup. For example, “it would be extremely useful for a call center supervisor to have before him or her information pertaining to the results achieved by the scripting program . . . The supervisor could then be given the capability to modify the scripting program (the script text itself or the script program branching) in an effort to achieve more desirable results” (Kneipp, col. 2, lines 4-15).

Under this process, “The agent will communicate the selectable script message text 164 to the calling/called party and communicate the response of the party 250 to the branch script controller 150, via the agent data entry device 200 . . . The branch script controller 150 will accept the input from the agent data entry device 200 and . . . look up the next selectable script message text from the selectable script database 160 based on this response input” (Kneipp, col. 4, lines 52-63). The “System 100 is monitored by a supervisor via a branch controller display 170 and may be modified by the supervisor via branch controller entry device 180 as needed” (Kneipp, col. 4, lines 29-33). In addition, and “In this way, the supervisor may attempt to guide the call agent down a path of selectable script messages and questions 164 which is more likely to end in a positive results” (Kneipp, col. 5, lines 23-27).

For any of the above reasons, the combination fails to teach or suggest each and every claim limitation, as required by MPEP §2143.03. Since the combination fails to teach or suggest each and every claim limitation, the rejections are improper and should be withdrawn.

Claims 3-5, 13-15 and 22 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Farrell in view of Kneipp and U.S. Patent No. 6,567,787 to Walker et al. However, Walker et al. (as with Farrell and Kneipp) fails to provide any teaching or suggestion of a two-step script selection process.

Since Farrell, Kneipp and Walker et al. fails to teach or suggest this claim element, the combination fails to teach each and every claim element. Since the combination fails to teach each and every claim element, the rejection is believed to be improper and should be withdrawn.

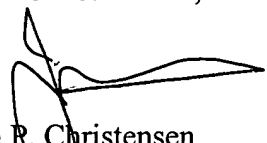
Claims 6-7, 16-17 and 24 have been rejected under 35 U.S.C. §103(a) as being obvious over Farrell in view of Kneipp and U.S. Pat. No. 6,313,833 to Knight. However, Knight (as with Farrell and Kneipp) fails to provide any teaching or suggestion of a two-step script selection process.

Since Farrell and Knight fails to teach or suggest this claim element, the combination fails to teach each and every claim element. Since the combination fails to teach each and every claim element, the rejection is believed to be improper and should be withdrawn.

### **Conclusion**

Allowance of claims 1-26, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,  
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